

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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PATRICIA COSTANZO, individually and on :
behalf of all others similarly situated, :
 :
 Plaintiff, : Civil Action
 : No. 13-10470-NMG
 v. :
 :
 INNSEASON VACATION CLUB, LLC, a :
 Delaware limited liability company, :
 INNSEASON MANAGEMENT, INC., a :
 Massachusetts corporation, CURRAN :
 MANAGEMENT SERVICES, INC., a :
 Massachusetts corporation, and KWC :
 MARKETING, LLC, a New Hampshire :
 limited liability company, :
 :
 Defendants. :
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JOINT STIPULATION

Plaintiff Patricia Costanzo (“Plaintiff”) and Defendants Innseason Vacation Club, LLC, Innseason Management, Inc., Curran Management Services, Inc., and KWC Marketing LLC (“Defendants”) (together Plaintiff and Defendants are collectively referred to herein as the “Parties”), by and through their undersigned counsel of record, hereby stipulate and agree, subject to Court approval, to a brief extension of the current schedule of discovery and general case deadlines in order to allow them to focus their efforts on the potential resolution of this matter and their upcoming mediation with Magistrate Judge Jerome Niedermeier. In support of the instant stipulation, the Parties state as follows:

WHEREAS, on March 1, 2013, Plaintiff filed her original Complaint against Defendants (Dkt. 1);

WHEREAS, as the result of ongoing discussions and informational exchanges between the Parties, Plaintiff filed a First Amended Complaint on April 5th and subsequently, her Second Amended Complaint on May 24th (Dkts. 9, 13);

WHEREAS, following a case management conference with the Parties, on July 23rd, the Court set a schedule of discovery and general case deadlines (Dkt. 26);

WHEREAS, on August 29th, the Parties filed a joint statement notifying the Court that they had agreed to mediate the case and requesting assignment to a magistrate judge in order to do so (Dkt. 29);

WHEREAS, on September 18th, the Court referred the case to its ADR program and on September 23rd, the case was assigned to Magistrate Judge Jerome Niedermeier for mediation (Dkts. 30-31);

WHEREAS, the Parties are scheduled to proceed with a mediation before Judge Niedermeier on October 29th;

WHEREAS, in the meantime and throughout the pendency of the case, the Parties have been actively engaged in discussions aimed at resolving the claims at issue here without the need for protracted litigation;

WHEREAS, notwithstanding their ongoing settlement discussions and the potential for early resolution of this matter, the Parties have also proceeded with formal discovery and Plaintiff's first sets of written discovery requests have been served and are currently outstanding;

WHEREAS, in an effort to move the litigation forward efficiently and to allow them to focus their efforts on the potential resolution of the case and their upcoming mediation with Judge Niedermeier, the Parties have conferred and agreed, subject to Court approval, to a modest thirty (30) day extension of the current schedule of discovery and general case deadlines, with

the exception of the deadline for Plaintiff to make her Rule 26(a)(2) expert disclosures, which they have agreed to extend by forty-five (45) days;

WHEREAS, the Parties' instant stipulation and request for relief is made in good faith and without any improper purpose;

NOW, THEREFORE, IT IS HEREBY STIPULATED and AGREED:

1. The current schedule of discovery and general case deadlines shall be modified as follows:

EVENT	CURRENT DEADLINE	NEW DEADLINE
<i>Amendments to Pleadings</i>	Oct. 15, 2013	Nov. 14, 2013
<i>Written Discovery Served</i>	Mar. 31, 2014	Apr. 30, 2014
<i>Written Discovery Answered</i>	Apr. 30, 2014	May 30, 2014
<i>Fact Discovery Completed</i>	June 30, 2014	July 30, 2014
<i>Plaintiff's Rule 26 Expert Disclosures Related to Class Certification</i>	Sept. 30, 2013	Nov. 14, 2013
<i>Depositions of Plaintiff's Class Experts Completed</i>	Oct. 31, 2013	December 2, 2013
<i>Defendants' Rule 26 Expert Disclosures Related to Class Certification</i>	Jan. 15, 2014	Feb. 14, 2014
<i>Depositions of Defendants' Class Experts Completed</i>	Feb. 15, 2014	Mar. 17, 2014
<i>Dispositive Motions Filed</i>	Sept. 15, 2014	Oct. 15, 2014
<i>Oppositions to Dispositive Motions Filed</i>	Oct. 15, 2014	Nov. 14, 2014

<i>Class Certification Motion Filed</i>	Nov. 30, 2013	Jan. 7, 2014
<i>Oppositions to Class Certification Motion Filed</i>	Jan. 15, 2014	Feb. 24, 2014
<i>Reply in Support of Class Certification Motion Filed</i>	Feb. 7, 2014	Mar. 17, 2014
<i>Plaintiff's Rule 26 Expert Disclosures Related to Merits</i>	Apr. 30, 2014	May 30, 2014
<i>Depositions of Plaintiff's Merits Experts Completed</i>	May 31, 2014	June 30, 2014
<i>Defendants' Rule 26 Expert Disclosures Related to Merits</i>	June 30, 2014	July 30, 2014
<i>Depositions of Defendants' Merits Experts Completed</i>	July 31, 2014	Sept. 1, 2014
<i>Final Pretrial Conference</i>	Dec. 17, 2014 at 3:00 p.m.	Jan. 16, 2015 at 3:00 p.m. or at the Court's convenience
<i>Jury Trial to Begin</i>	Jan. 15, 2014 at 9:00 a.m.	Feb. 19, 2015 at 9:00 a.m. or at the Court's convenience

IT IS SO STIPULATED.

PATRICIA COSTANZO, individually and on behalf of all others similarly situated,

Dated: October 3, 2013

By: /s/ Christopher L. Dore

Christopher L. Dore
One of Plaintiff's Attorneys

**INNSEASON VACATION CLUB, LLC,
INNSEASON MANAGEMENT, INC., CURRAN
MANAGEMENT SERVICES, INC., and KWC
MARKETING, LLC,**

Dated: October 3, 2013

By: /s/ Peter F. Carr, II

Peter F. Carr, II
One of Defendants' Attorneys

PURSUANT TO STIPULATION, IT IS SO ORDERED.

ENTERED: October 7, 2013

/s/ Nathaniel M. Gorton

HONORABLE NATHANIEL M. GORTON
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

Dated: October 3, 2013

/s/ Christopher L. Dore